

PLANNING COMMISSION MINUTES OF JULY 25, 2005

2005-0145 – Application for a Special Development Permit on a 3,692 square-foot site to allow a 183 square-foot addition to an existing house. The property is located at **392 Waverly Street** (near W. Iowa Ave) in an R-2/PD (Low-Medium Density Residential/Planned Development) Zoning District. (APN: 165-12-097) JM

Gerri Caruso, Principal Planner, presented the staff report. This application is an appeal of a project seen previously by the Planning Commission. The previous application was for a 200 sq. ft. single-story addition on the back of an existing home that is part of an R-2/PD cluster of four lots that share a common driveway. This parcel is in the rear of that four-lot cluster. The Planning Commission had denied the application and the applicant appealed it to City Council. The Council referred it back to the Planning Commission because it had been changed. The applicant is now requesting a slightly smaller addition of 192 sq. ft. increasing the rear-yard setback from 10 ft. to 12 ft. The issue with the project is that in the original four-lot cluster, the Floor Area Ratio (FAR) had originally been established at 50.8% and the applicant is requesting an exception to the FAR. Staff is recommending that the Planning Commission grant the approval, with the changes resulting in the larger set back as proposed now, subject to the Findings and Conditions of Approval (COA) in the staff report.

Comm. Moylan previously asked staff to look up information about the project directly behind this lot which looks very similar to this project. Ms. Caruso said the projects are similar, that the project also had an FAR limit of 50% or less. The COAs of the neighboring project went a step further establishing the minimum open space requirements for each of the lots and specifying the square footage.

Comm. Klein asked staff what the rear setbacks for the project behind the proposed project are. Ms. Caruso said they are 18 ft.

Chair Hungerford opened the public hearing.

Pravin Narwankar, the applicant, said that when this project was denied by the Planning Commission that there were two points of contention. The first was with the initial proposed setback only being 10 ft. which would reduce the open space significantly. He discussed the project with the planners, looked at the definition of open space and made further changes resulting in a 12 ft. setback and a 6 ft. addition to some of the existing walls. He said if this is not approved again, he would make further adjustments. He would just like to add more room for his senior parents. The second issue was the density in the area being low to medium density. He commented that when the original permit for the project behind his house was granted about 10 years ago, there were two, single-story

houses on the lots. In the last five years these two houses were removed and replaced with four, two-story houses. He said as a result of the changes behind his house and the fairly recent building of a large house on his street, that he does not see how this area could still be considered low-density. He said considering these two points and his willingness to make further reductions if necessary, he hoped that the Commission would approve this project.

Comm. Fussell asked Mr. Narwankar that if he further decreased the depth of the proposed project from 6 ft. to 4 ft. in the back of the house, would he just increase the extension across the width of the back of home. Mr. Narwankar said yes, that a decrease to a 4 ft. extension on the house would result in an increase of 108-110 ft. across the back of the home. Mr. Narwankar said that he originally was going to extend one room, but with the need to increase the setback, the plans were modified resulting in extending several rooms with less depth instead of one room with a greater depth. Comm. Fussell confirmed that the proposal is basically for an increase of approximately 192 sq. ft. Mr. Narwankar said yes.

Comm. Moylan asked the applicant when the project behind him went in. Mr. Narwankar said it has gone in during the last 6 years. He said he felt like the back neighbor's setback was slightly less than his. He said that his current setback is 18 ft. Comm. Moylan said he checked on the project behind Mr. Narwankar's house and it also has an 18 ft. setback.

Chair Hungerford closed the public hearing.

Comm. Babcock moved for Alternative 4, to deny the proposed Special Development Permit. Comm. Moylan seconded.

Comm. Babcock said she feels that the houses in these developments are already built to the maximum and that somehow this needs to be communicated to homebuyers when they buy these homes. She said that the development behind this proposed project and the development on this street both have 18 ft. setbacks and that she feels this is the minimum setback for this space.

Comm. Moylan said he wants the applicant to know that he understands that the modifications being proposed are not huge and in most situations are reasonable ones. He said the block for him is that 10 years ago the Planning Commission agreed to approve these sites with certain conditions. We need to honor the conditions placed 10 years ago and the concerns of the neighbors at that time. It is a concern from the precedent in the past and the precedent that we set in the future. There is nothing wrong with what the applicant is proposing, but in this particular location we need to honor the original conditions.

Final Motion:

Comm. Babcock made a motion on Item 2005-0145 for Alternative 4, to deny the proposed Special Development Permit. Comm. Moylan seconded.

Motion carried unanimously, 7-0.

This item is final unless there is an appeal back to the City Council no later than August 9, 2005.